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MIRANT CORPORATION

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

NATIVE VILLAGE OF KIVALINA and  
CITY OF KIVALINA,

Plaintiffs,

v.

EXXONMOBIL CORPORATION; BP  
P.L.C.; BP AMERICA, INC.; BP  
PRODUCTS NORTH AMERICA, INC.;  
CHEVRON CORPORATION;  
CHEVRON U.S.A., INC.;  
CONOCOPHILLIPS COMPANY;  
ROYAL DUTCH SHELL PLC; SHELL  
OIL COMPANY; PEABODY ENERGY  
CORPORATION; THE AES  
CORPORATION; AMERICAN  
ELECTRIC POWER COMPANY, INC.;  
AMERICAN ELECTRIC POWER  
SERVICES CORPORATION; DTE  
ENERGY COMPANY; DUKE ENERGY  
CORPORATION; DYNEGY  
HOLDINGS, INC.; EDISON  
INTERNATIONAL; MIDAMERICAN

Civ. Action No.: CV-08-1138-SBA


**ORDER GRANTING STIPULATION  
DISMISSING COMPLAINT FOR  
DAMAGES AS TO MIRANT  
CORPORATION WITH PREJUDICE**

[NO HEARING REQUIRED]

1 ENERGY HOLDINGS COMPANY;  
2 MIRANT CORPORATION; NRG  
3 ENERGY; PINNACLE WEST CAPITAL  
4 CORPORATION; RELIANT ENERGY,  
5 INC.; THE SOUTHERN COMPANY;  
6 AND XCEL ENERGY, INC.

7 In light of the agreed stipulation of Plaintiffs and Defendant Mirant Corporation, IT IS  
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HEREBY ORDERED that Defendant Mirant Corporation is dismissed with prejudice.

DATED: 6/4/08

By:   
The Hon. Sandra B. Armstrong  
United States District Judge